

**CONTINUING APPLICATION TRANSMITTAL UNDER RULE 1.53(b)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mail Stop: Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: October 17, 2003

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a Divisional application of prior pending Application No. 09/147,770, filed April 28, 1999,

For (Title): NITRIC ESTER DERIVATIVES AND THEIR USE IN TREATING GASTROINTESTINAL TUMORS

By (Inventors): Piero DEL SOLDATO and Francesco SANNICOLO

1. ☒ A Declaration and Power of Attorney is attached. The attached Declaration and Power of Attorney is:
- ☒ a. A copy of the Declaration and Power of Attorney from the parent application. (Used with the same or fewer inventors and (a) a copy of the prior application or (b) a revised, reformatted or edited version of the prior application that does not contain new matter.)
- ☐ b. A new Declaration and Power of Attorney. (Used with the same, fewer or additional inventors and (a) a copy of the prior application, (b) a revised, reformatted or edited version of the prior application that does not contain new matter, or (c) a new specification.)
2. ☒ The filing fee based on entry of the concurrently filed Preliminary Amendment is calculated below:

**CLAIMS IN THE APPLICATION AFTER ENTRY OF
ANY PRELIMINARY AMENDMENT NOTED BELOW**

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	6 - 20	= 0
INDEP CLAIMS	2 - 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

* If the difference is less than zero, enter "0".

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
RATE	FEE		RATE	FEE
	\$ 385	OR		\$ 770
x 9 =	\$	OR	x 18	\$
x 42 =	\$	OR	x 84	\$
+140 =	\$	OR	+280	\$
TOTAL	\$ 385	OR	TOTAL	\$

3. ☒ A Check in the amount of \$385.00 to cover the filing fee is attached.
4. ☒ The Commissioner is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 01-2300.
5. ☒ Amend the specification by inserting before the first line the sentence:
--This is a Division of Application No. 09/147,770 filed April 28, 1999, which is a §371 of International Application No. PCT/EP97/04774 filed September 2, 1997. The disclosure of the prior applications is hereby incorporated by reference herein in its entirety.--
6. ☒ Priority of foreign application No. MI96A001821 filed September 4, 1996 in Italy is claimed under 35 U.S.C. §119 and/or §365(b).
7. ☒ The certified copy of the priority document was received in prior Application No. 09/147,770 from the International Bureau.
8. ☒ The prior application is assigned of record to Nicox S.A., recorded at Reel 009969, Frame 0248 on April 28, 1999.
9. ☒ An Information Disclosure Statement is attached along with Form PTO-1449.

15915 U.S. PTO
101703

03945 U.S. PTO
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101703

10. ☒ Small entity status:
☒ A small entity statement was filed in the parent application and such status is still proper and desired.
11. ☒ Other: Declaration under 37 C. F.R. §1.132
12. ☒ The Power of Attorney in the application is to:

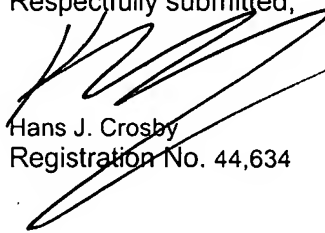
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13. ☒ Address all future communications to:

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